

**STATE OF OHIO, WARREN COUNTY
COMMON PLEAS COURT**

IN RE:

Fifth Supplemental Entry and Order
for certain restrictions to the use,
occupancy and traffic for the
Courthouse Facility located at 500
Justice Drive, Lebanon, Ohio
following orders issued by the Ohio
Department of Health

⋮
⋮
⋮
⋮
⋮
⋮
⋮
⋮
⋮
⋮
⋮

20MS000328

This matter is before the Court, *sua sponte*, for review of the practices and procedures of the Court during the public health crisis and upon the concurrence of a majority of the Common Pleas Court judges.

On March 16, 2020, the Court entered a Temporary Order In Response to the COVID-19 (Coronavirus) Public Health Crisis and an Entry and Order For Certain Restrictions to the Use, Occupancy and Traffic for the Courthouse Facility. Those findings are incorporated by reference as if fully rewritten herein.

On July 23, 2020, the Court issued an Entry and Order finding the Department of Health Interim Director’s orders to be an unconstitutional exercise of executive power as applied to the courthouse and court personnel engaged in their official duties. The Court also issued its Fourth Supplemental Entry and Order for Certain Restrictions to the use, Occupancy and Traffic for the Courthouse Facility located at 500 Justice Drive.

On February 12, 2021, the Court was advised by the Chief Justice of the Ohio Supreme Court that, despite the previous findings, the current order recommending, but not requiring, the use of masks in the Courthouse was not acceptable, and the Court is required to mandate the wearing of masks.

For the purpose of this Entry and Order, ‘the Court’ shall refer to the General, Civil, Domestic Relations and Criminal Divisions of the Warren County Common Pleas Court.

For the purpose of this Entry and Order, ‘the Courthouse’ shall include the facility located at 500 Justice Drive, Lebanon, Ohio, excluding the Board of Elections and the Warren County Prosecutor’s Office. It shall also include the Clerk of Courts, Adult Probation and Community Corrections. It shall also apply to Telecom and Emergency Services, unless those areas are separately secured to prevent any individuals from those departments from entering the Court facilities.

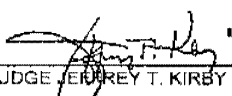
This Entry and Order is effective February 18, 2021.

IT IS HEREBY ORDERED:


1. The Courthouse is OPEN WITH RESTRICTIONS from 8:00 a.m. to 4:30 p.m.
 2. MASKS. The wearing of masks, face coverings or other personal protective equipment is required in the Courthouse, subject to the following:
 - a) A mask/face covering may be removed with the permission of or at the direction of the judge or magistrate for good cause for a specific purpose or for a specific hearing.
 - b) Where an individual is also in an enclosed space, such as an office, or in lieu of an enclosed space, the individual is separated by at least six feet in all directions from all other individuals.
 - c) The Court shall adopt separate administrative directives governing personnel, probation officers and other judicial staff.
 - d) The Clerk of Courts, the Child Support Enforcement Agency and the Law Library are permitted to make additional restrictions for the Courthouse space occupied by them. Such restrictions shall not be less restrictive than the requirements of this Order.
- a) CONDUCT WITHIN THE COURTHOUSE. All individuals entering the Courthouse shall be subject to the following:
- a) No individual, including but not limited to staff, county employees, attorneys, litigants or members of the public, shall enter or remain in the Courthouse if ANY of the following apply:
 - He or she has a fever;
 - He or she exhibits all three of the following symptoms: 1) respiratory symptoms (chronic cough), 2) sore throat, and 3) shortness of breath;
 - He or she has traveled out of the country within the last 14 days;
 - He or she has been in contact with a person who is under investigation or has tested positive for the COVID-19 virus.
 - b) Members of the public, litigants and attorneys may be subject to a health care screening and non-invasive temperature test before being admitted into the Courthouse.
 - c) All individuals shall maintain appropriate social distancing of 6 feet.
 - d) To the extent possible, interaction between individuals and court staff shall be done electronically: by phone, email, text, skype, etc.
 - e) While individuals are used to a level of courthouse decorum that encourages close contact, such as whispering, etc, so as not to disturb courtroom proceedings, this decorum is secondary to maintaining appropriate social distancing.

- f) Paperwork for filing shall be placed in the designated bins.
- b) The Courtrooms are OPEN WITH RESTRICTIONS.
- c) FILINGS. The Clerk of Courts is OPEN WITH RESTRICTIONS.
- d) Scheduling should be done by phone or email, if possible.
- e) Hearings will be conducted either in person or by phone at the direction of the assigned judge or magistrate.
- f) The NOTICE TO INDIVIDUALS ENTERING THE BUILDING attached hereto shall be posted at the Courthouse door, conspicuously throughout the Courthouse and on the Court's website.

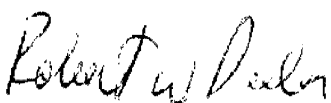
IT IS SO ORDERED.




JUDGE JEFFREY T. KIRBY
Domestic Relations Judge



Donald E. Oda II
General Division Judge



Robert W. Peeler
General Division Judge



Timothy N. Tepe
General Division Judge

NOTICE

TO ALL INDIVIDUALS SEEKING TO ENTER THE COURTHOUSE

Supplemental #4

- 1) No individual, including but not limited to staff, county employees, attorneys, litigants or members of the public, shall enter or remain in the Courthouse if ANY of the following apply:
 - He or she has a fever;
 - He or she exhibits all three of the following symptoms: 1) respiratory symptoms (chronic cough), 2) sore throat, and 3) shortness of breath;
 - He or she has traveled out of the country within the last 14 days;
 - He or she has been in contact with a person who is under investigation or has tested positive for the coronavirus.
- 2) Members of the public, litigants and attorneys may be subject to a health screening and/or temperature tested upon entering the building.
- 3) All individuals shall maintain appropriate social distancing of 6 feet.
- 4) **MASKS**, face coverings and/or other personal protective equipment are required in the Courthouse, unless you are specifically directed otherwise by court personnel.